



Queensland

Justices of the Peace and Commissioners for Declarations Amendment Regulation 2024

Subordinate Legislation 2024 No. 18

made under the

Justices of the Peace and Commissioners for Declarations Act 1991

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[s 1]

1 Short title

This regulation may be cited as the *Justices of the Peace and Commissioners for Declarations Amendment Regulation 2024*.

2 Commencement

This regulation commences on 1 April 2024.

3 Regulation amended

This regulation amends the *Justices of the Peace and Commissioners for Declarations Regulation 2017*.

4 Amendment of s 4 (Application for appointment)

(1) Section 4(1)—

omit, insert—

(1) This section applies in relation to an application for appointment under section 15A(1) of the Act.

(1A) The approved form for the application must—

- (a) include provision for the member of the Legislative Assembly for the electoral district in which the applicant lives (the ***local member***) to nominate the applicant for appointment; and
- (b) include provision for a person mentioned in subsection (3) to nominate the applicant for appointment; and
- (c) state that a nomination mentioned in paragraph (b) may be completed instead of a nomination by the local member if, because of time, distance or business reasons, it is inconvenient for the applicant to call on the local member.

(2) Section 4(2), from ‘However’ to ‘appointment by’—

omit, insert—

For subsection (2)(b), the persons are—

- (3) Section 4(3), ‘require’—

omit, insert—

include provision for

- (4) Section 4(3)(a), ‘member of Parliament mentioned in subsection (1)(b)’—

omit, insert—

local member

- (5) Section 4(3)(b), ‘subsection (2)(a) or (b) applies’—

omit, insert—

the nominator is a person mentioned in subsection (3)(a) or (b)

- (6) Section 4(3)(b), ‘member’—

omit, insert—

local member

- (7) Section 4(3)(c) and examples—

omit, insert—

(c) whether the applicant is suitable for appointment having regard to the applicant’s character and standing in the community.

- (8) Section 4(4)—

omit.

- (9) Section 4(5), from ‘training course’ to ‘the Act’—

omit, insert—

pre-appointment training course

- (10) Section 4(5), ‘registrar’—

omit, insert—

chief executive

[s 5]

(11) Section 4(6) and (7)—

omit, insert—

(6) In this section—

electoral district means an electoral district under the *Electoral Act 1992*.

pre-appointment training course see section 16(3) of the Act.

(12) Section 4(1A) to (3)—

renumber as section 4(2) to (4).

5 Omission of ss 5 and 6

Sections 5 and 6—

omit.

6 Insertion of new s 8A

After section 8—

insert—

8A Approval of code of conduct—Act, 31G

For section 31G of the Act, the code of conduct called ‘Justices of the peace and commissioners for declarations code of conduct’, made by the chief executive on 7 February 2024, is approved.

7 Replacement of ss 9 and 10

Sections 9 and 10—

omit, insert—

9 Training course while in office

(1) This section applies if the chief executive approves, under section 32 of the Act, a training course that is to be completed by a person or class of person while holding office as an appointed

justice of the peace or appointed commissioner for declarations.

- (2) The chief executive may, by notice given to an appointed justice of the peace or appointed commissioner for declarations, require them to give the registrar notice of the completion of the course within a stated period.
- (3) In this section—
notice means written notice.

10 Application by transitional office holder to become commissioner for declarations

An application under section 44 of the Act must be—

- (a) in the approved form; and
- (b) accompanied by the fee stated in schedule 1, item 3.

8 Amendment of s 11 (Approved forms)

Section 11, ‘this regulation’—

omit, insert—

the Act

9 Amendment of s 12 (Fees)

- (1) Section 12(2) and (3)—

omit.

- (2) Section 12(4)—

renumber as section 12(2).

10 Amendment of sch 1 (Fees)

- (1) Schedule 1, items 1 and 2, ‘under section 4(1)’—

[s 11]

omit, insert—

for appointment under section 15A(1) of the Act

(2) Schedule 1, item 3, ‘section 10’—

omit, insert—

section 44(1) of the Act

11 Amendment of sch 2 (Dictionary)

Schedule 2, definition *electoral district*—

omit.

ENDNOTES

- 1 Made by the Governor in Council on 21 March 2024.
- 2 Notified on the Queensland legislation website on 22 March 2024.
- 3 The administering agency is the Department of Justice and Attorney-General.

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